

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3, and 5-29 are pending in this case. Claims 1, 5, and 29 are amended and Claims 4 and 8-17 are canceled without prejudice or disclaimer by the present amendment. Amended Claims 1, 5, and 29 are supported by the original claims, specification, and drawings,¹ and therefore add no new matter.

In the outstanding Office Action, Claims 26 and 29 were rejected under 35 U.S.C. §112, first paragraph. Claims 1, 3, 6, 7, and 18-29 were rejected under 35 U.S.C. §103(a) as unpatentable over Yasuda et al. (U.S. Patent No. 5,972,276, herein "Yasuda") in view of Eckardt et al. (U.S. Patent No. 6,294,126, herein "Yasuda"). However, Claims 4 and 5 were objected to as dependent on a rejected base claim, but otherwise were indicated as including allowable subject matter if re-written in independent form.

Applicants gratefully acknowledge the indication that Claims 4 and 5 include allowable subject matter.

Initially, applicants and applicants' representatives thank Examiner Heitbrink for the interview held on January 14, 2005 to discuss the present case. During the interview, support for Claims 26 and 29 in the disclosure was discussed, as well as differences between the claimed invention and the cited references. The Examiner agreed that Claim 26 was supported by the disclosure.

With regard to the rejection of Claims 26 and 29 under 35 U.S.C. §112, first paragraph, this rejection is respectfully traversed. It is respectfully submitted that the "recessed part" recited in Claim 26 is supported by the specification at page 26, lines 12-19

¹ See e.g. Specification at page 21, lines 18-26 and Figures 1-3.

and Figure 10. These portions of the disclosure describe an exemplary embodiment of the invention including recessed portion 8.

Amended Claim 29 recites “said outside air inlet part is formed in a portion of the metal mold having a unitary structure, such that said outside air inlet part is in constant flow communication with said cavity, without a movement of a moving part of said metal mold.” It is respectfully submitted that amended Claim 29 is supported by the specification at page 21, lines 18-26 and Figures 1-3. These portions of the disclosure describe an exemplary embodiment of the invention including an outside air inlet part 6 located in a portion of a metal mold 1 having a unitary structure. In the disclosed embodiment, outside air inlet part 6 remains in flow communication with cavity 3 without the movement of any moving part.

Accordingly, Claims 26 and 29 are believed to be in full compliance with all requirements under 35 U.S.C. §112, first paragraph.

With regard to the rejection of Claim 1 under 35 U.S.C. §103(a) as unpatentable over Yasuda in view of Eckardt, this rejection is respectfully traversed.

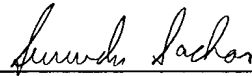
Claim 1 is amended to include the subject matter of Claim 4, which was indicated as allowable. Accordingly, Claim 1, and Claims 3, 6, 7, and 18-29 dependent therefrom, are believed to be patentable.

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Accordingly, the outstanding rejections are traversed and the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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